

1954-287
MC:lw



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of)
S. CHATTERJEE et al.)
Serial No. 09/453,801) Examiner: Not Assigned
Filed: December 3, 1999) Group Art Unit: 1636
For: A METHOD OF GENETICALLY MODIFYING VERY
PRIMITIVE QUIESCENT HUMAN, HEMATOPOIETIC
STEM CELLS

CLAIM FOR SMALL ENTITY STATUS

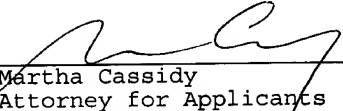
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Attached is a statement verified by the assignee of the
above-identified patent application claiming small entity status.
The application was filed on December 3, 1999. This statement
is timely filed within two months of the date due of payment of
the filing fee and the late filing fee surcharge.

Respectfully submitted,

By


Martha Cassidy
Attorney for Applicants
Registration No. 44,066
ROTHWELL, FIGG, ERNST & KURZ, p.c.
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Enclosure: Small Entity Declaration

Docket No. 1954-287**Declaration and Power of Attorney for Patent Application**

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name,

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought, on the invention entitled **A METHOD OF GENETICALLY MODIFYING VERY PRIMITIVE QUIESCENT HUMAN HEMATOPOIETIC STEM CELLS**, the specification of which

☐ is attached hereto.

☒ was filed on December 3, 1999

Application Serial No. 09/453,801

and was amended on _____

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56(a).

I hereby claim foreign priority benefits under Title 35, United States Code, § 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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Prior Foreign Application(s)

Priority Claimed

<u> </u> (Number)	<u> </u> (Country)	<u> </u> (Day/Month/Year)	<input type="checkbox"/> Yes	<input type="checkbox"/> No
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I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below.

60/111.017December 4, 1998

(Application Serial No.)

(Filing Date)

I hereby claim the benefit under Title 35, United States Code, § 120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, § 112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, 1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

(Application Serial No.)(Filing Date)(Status)(Application Serial No.)(Filing Date)(Status)

I or we hereby appoint the following attorneys to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith, and request that all correspondence about the application be addressed to ROTHWELL, FIGG, ERNST & KURZ, p.c., Suite 701-E, 555 13th Street, N.W., Washington, D.C. 20004

G. Franklin Rothwell, Reg. No. 18,125
 E. Anthony Figg, Reg. No. 27,195
 Barbara G. Ernst, Reg. No. 30,377
 George R. Repper, Reg. No. 31,414
 Bart G. Newland, Reg. No. 31,282
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 Joseph A. Hynds, Reg. No. 34,627
 Mark I. Bowditch, Reg. No. 40,315
 Robert J. Jondle, Reg. No. 33,915
 Jeffrey W. Rennecker, Reg. No. 40,784
 Kenneth M. Fagin, Reg. No. 37,615
 Don M. Kerr, Reg. No. 22,720
 Jeffrey L. Ihnen, Reg. No. 28,957
 Stephen A. Saxe, Reg. No. 38,609
 Glenn E. Karta, Reg. No. 30,649
 Martha Cassidy, Reg. No. 44,066

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

FIRST NAMED INVENTOR	SIGNATURE	DATE
<u>Saswati Chatterjee</u>	<u>Saswati Chatterjee</u>	<u>3/15/00</u>
RESIDENCE	CITIZENSHIP	
<u>678 W. Alegira Avenue, Sierra Madre, California 91024</u>	<u>Canadian</u>	
POST OFFICE ADDRESS		
<u>same as above</u>		
SECOND NAMED INVENTOR	SIGNATURE	DATE
<u>Kamehameha K. Wong, Jr.</u>	<u>Kamehameha K. Wong</u>	<u>3-15-2000</u>
RESIDENCE	CITIZENSHIP	
<u>678 W. Alegira Avenue, Sierra Madre, California 91024</u>	<u>U.S.A.</u>	
POST OFFICE ADDRESS		
<u>Same as above</u>		
THIRD NAMED INVENTOR	SIGNATURE	DATE
<u>Christie Wong</u>	<u>Christie Wong</u>	<u>3/15/2000</u>
RESIDENCE	CITIZENSHIP	
<u>330 Cordova Street, Apt. 261, Pasadena, California 91101</u>	<u>U.S.A.</u>	
POST OFFICE ADDRESS		
<u>same as above</u>		
FOURTH NAMED INVENTOR	SIGNATURE	DATE
<u>Grace Fisher-Adams</u>	<u>Grace Fisher-Adams</u>	<u>3-17-2000</u>
RESIDENCE	CITIZENSHIP	
<u>1624 Verdugo Blvd., La Canada, California 91011</u>	<u>U.S.A.</u>	
POST OFFICE ADDRESS		

Applicant or Patentee: Saswati Chatterjee et al.
Serial or Patent No.: _____ Attorney's Docket No. 1954-287A
Filed or Issued: December 4, 1998
For: A METHOD OF GENETICALLY MODIFYING VERY PRIMITIVE QUIESCENT HUMAN
HEMATOPOIETIC STEM CELLS

VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS
(37 CFR 1.9(f) and 1.27(d)) - NONPROFIT ORGANIZATION

I hereby declare that I am an official empowered to act on behalf of the nonprofit organization identified below:

NAME OF ORGANIZATION City of Hope
ADDRESS OF ORGANIZATION 1500 East Duarte Road, Duarte, CA 91010, U.S.A.

TYPE OF ORGANIZATION

- ☐ UNIVERSITY OR OTHER INSTITUTION OF HIGHER EDUCATION
☒ TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE 26 USC 501(a) and 501(c)(3)
☐ NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA
(Name of State _____)
(Citation of Statute _____)
☐ WOULD QUALIFY AS TAX EXEMPT UNDER INTERNAL REVENUE SERVICE CODE (26 USC 501(a) and 501(c)(3)) IF LOCATED IN THE UNITED STATES OF AMERICA
☐ WOULD QUALIFY AS NONPROFIT SCIENTIFIC OR EDUCATIONAL UNDER STATUTE OF STATE OF THE UNITED STATES OF AMERICA IF LOCATED IN THE UNITED STATES OF AMERICA
(Name of State _____)
(Citation of Statute _____)

I hereby declare that the nonprofit organization identified above qualifies as a nonprofit organization as defined in 37 CFR 1.9(e) for purposes of paying reduced fees under Section 41(a) and (b) of Title 35, United States Code with regard to the invention entitled A METHOD OF GENETICALLY MODIFYING VERY PRIMITIVE QUIESCENT HUMAN by inventor(s) Saswati Chatterjee et al. described in

- ☐ the specification filed herewith
☒ application serial no. 09/453,801, filed December 3, 1999
☐ patent no. _____, issued _____

I hereby declare that rights under contract or law have been conveyed to and remain with the nonprofit organization with regard to the above identified invention.

If the rights held by the nonprofit organization are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 CFR 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern, or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

FULL NAME _____

ADDRESS _____

☐ INDIVIDUAL ☐ SMALL BUSINESS CONCERN ☐ NONPROFIT ORGANIZATION

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING Larry A. Couture, Ph.D.TITLE IN ORGANIZATION Vice President for Technology Development & TransferADDRESS OF PERSON SIGNING City of Hope1500 East Duarte RoadDuarte, California 91010-0269

Signature _____

Date 3/13/02